

Remarks***PRIORITY***

A certified copy of the foreign priority documents is being ordered and should be available to submit along with the issue fee upon receipt of notice that the case had been allowed.

CLAIM OBJECTIONS

Claim 3 has been amended to correct the informality noted in paragraph 4 of the Office Action.

CLAIM REJECTIONS – 35 USC § 112

Claims 4 and 5 have been amended to correct the antecedent basis problem noted in paragraph 6 of the Office Action.

CLAIM REJECTIONS – 35 USC § 103

Claims 1-8 stand rejected under Section 103 as being obvious over Microsoft's FrontPage 98 software as described in Lemay's Microsoft FrontPage 98 by Sams.net Publishing 1997, at pages 102-134.

Lemay Does Not Teach Or Suggest A Parent Component Served By A First Server And A Child Component Served By A Second Server.

Claim 1 requires a distributed application having a parent component served by a first server and a child component served by a second server. Claim 4 requires serving the child component with a first server and serving the parent component with a second server. Claim 7 requires a child application served by a first server and a parent application served by a second server. In support of the rejection Claims 1, 4 and 7, the Examiner states that "the components [in Lemay] such as 'home' and 'product 1' *could be* stored in and retrieved from different servers." Office Action, page 4 (emphasis added).

As the Examiner apparently recognizes, Lemay does not teach a parent component served by a first server and a child component served by a second server. The fact that Lemay could be modified to include a parent component served by a first server and a child component served by a second server does not mean it is proper to do so. It is well settled law that the mere fact that a reference can be modified does not render the resultant modification obvious unless the prior art also suggests the desirability of the modification. MPEP § 2143. The Examiner makes no showing at all

that there is any motivation to modify Lemay in the way he suggests. The Examiner carries the burden of providing **objective evidence** and making **specific factual findings** with respect to the motivation to modify a reference. MPEP § 2143.01; See, e.g., In re Sang Su Lee, 277 F.3d 1338 (Fed. Cir. 2002). Absent such a showing, the Examiner has failed to establish a prima facie case of obviousness and the rejections should be withdrawn.


For this reason, Claims 1, 4 and 7 are felt to be in condition for allowance. Claims 2-3, 5-6 and 8 are also felt to be in condition for allowance due to their dependence on Claims 1, 4 and 7 respectively.

Lemay Does Not Teach Or Suggest Parent Child Components Of A Distributed Application.

Claim 1 requires a distributed application having a parent component and a child component. The only parent and child relationships described in Lemay are parent/child levels in a navigation hierarchy (Lemay, page 134) and parent and child web pages (Lemay, page 116). There is nothing in Lemay that teaches or suggests that either of these relationships is directed to components of a distributed application. If the Examiner disagrees, he is respectfully requested to specifically point out those passages in Lemay that describe or even suggest parent and child components of a distributed application. For this additional reason, Claim 1 is felt to distinguish patentably over Lemay.

The foregoing is believed to be a complete response to the outstanding office action.

Respectfully submitted,


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